UNIVERSITY OF DENVER

HONOR CODE

STUDENT RIGHTS & RESPONSIBILITIES

Community Standards and Procedures

2023 –2024

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University of Denver Honor Code

The Honor Code is the Student code of conduct that outlines the expectations, rights, and responsibilities of every Student at the University. This document provides information to support our Students in developing and demonstrating integrity, respect, and individual and community responsibility. All Students at the University should read this Honor Code carefully to understand the expectations, community standards, policies, and procedures that apply when a Student is alleged to have violated a Student Rights & Responsibilities (SRR) Community Standard and/or policy. As a Student at the University, you are expected to know and to understand your **rights** as well as your **responsibilities** to be a positive contributor and successful community member at the University.

Honor Code Community Values

All members of the University of Denver community are expected to engage both individually and as community members with *Integrity*, *Respect*, and *Responsibility*. These values embody the standards of conduct for Students, Faculty, staff, and administrators as members of the University Community. These community values are defined as follows:

Integrity: acting in an honest and ethical manner**.**

Respect*:* honoring differences in people, ideas, experiences, and opinions; engaging with others in ways that demonstrate an appreciation of their rights and humanity.

Responsibility*:* accepting ownership for one's actions and choices; seeking opportunities to understand one's role in creating an inclusive environment as a University Student and global citizen; and when necessary, work to repair harm, restore trust, and acknowledge the impact of one's actions and choices.

A Community of Care

As a great private university dedicated to the public good, the University asks that all members of our community commit to engaging with our values of respect, integrity, and responsibility. Our identities, our cultures, and humanity should be honored and respected. Members of the campus community have the **RIGHT** to be treated with **RESPECT** and share the **RESPONSBILITY** to behave with **INTEGRITY**, and to create a campus climate that honors free expression and inclusion.

Jurisdiction

The University will address alleged Student behavior and conduct that may have violated University Policies, including the SRR Community Standards set forth in this document, regardless of where the alleged behavior and conduct occurred. The University, through the Office of Student Rights & Responsibilities (SRR), has the authority to address off-campus Student behavior and conduct that disrupts neighbors, impacts the University mission, results in a response by University Staff, implicates safety of the University Community or a University Community member, or negatively impacts the reputation of the University. The University has the sole discretion to determine if the reported behavior meets any of these criteria. Students hosting gatherings, events, and activities at off-campus residences are responsible for the activities occurring at or associated with their gatherings and should understand that local law enforcement may respond to off-campus gatherings, events, and activities based on complaints from neighbors and that the alleged behavior and conduct may be addressed through University processes.

The SRR process at the University is not intended to replace criminal or civil proceedings. The SRR process is a University administrative process that does not follow formal rules of evidence or rules of criminal or civil procedure as set forth in any federal, state, or local statute or regulation.

A Case Resolution Body will review and give appropriate weight to the information provided related to the incident. The Case Resolution Body will make determinations of responsibility for violations of University Policies or SRR Community Standards based upon a finding of Preponderance of the Evidence.

In cases of criminal or civil charges, the University may proceed with the SRR process as the University deems appropriate, regardless of any pending criminal charges or civil proceedings relating to the alleged violation(s). The University may or may not defer or postpone the SRR process based on concurrent criminal or civil proceedings. The University may still proceed with the SRR process even after the dismissal or reduction in criminal charges or dismissal or other resolution of civil proceedings related to the alleged violations.

The University may continue with the SRR process even if the Student withdraws from the University or completes all University work towards a degree.

The University encourages the prompt Reporting of alleged violations of any policy or SRR Community Standard; however, the University reserves the right to review any alleged violations, at any time, in furtherance of its goal to promote a safe and productive environment for all University Community members.

With approval from the Vice Chancellor for Student Affairs, the Office of Student Rights & Responsibilities reserves the authority to pilot new programs, procedures, and/or resolution methods to best meet the needs of the ever-changing University Community. Participation in such piloted programs, procedures, and/or resolution methods is voluntary.

The Office of Equal Opportunity & Title IX (EOIX) has the jurisdiction to address alleged violations of University Policies related to discrimination and harassment through EOIX's own procedures.

Students as Employees

Students may be involved in the University Community in different ways, such as Students who are also University employees. Such Students may be subject to other University Policies and expectations of behavior related to those other roles.

Students as Scholars

Students may also be members of academic programs with professional standards of conduct in addition to the University standards. The University may hold a Student responsible through the SRR process for alleged violations of both University Policies and the applicable professional standards. Students are responsible for knowing and following all applicable policies and standards.

Interpretation

The purpose of publishing the Honor Code is to give the University Community general notice of SRR Community Standards, policies and procedures related to SRR. The Honor Code and included processes are designed to be educational and are not written with the specificity of a criminal code and should not be interpreted as such. The Director of SRR has the authority to interpret the Honor Code as it applies to Students with the Vice Chancellor of Student Affairs having the final authority to resolve disputes regarding the interpretation of the Honor Code.

Implementation

To better foster an environment of ethical conduct in the University Community, all community members are expected to take Constructive Action, that is, any effort to Report any behavior and conduct contrary to the Honor Code.

The Chancellor and the Provost & Executive Vice Chancellor grant authority to the Office of Student Rights & Responsibilities to resolve alleged violations of the Honor Code by Students. SRR is responsible for reviewing and evaluating Reports, assigning

alleged violations of SRR Community Standards and/or University Policies, reviewing the incident(s), assessing findings, assigning status and educational Outcomes, and resolution of the incident. The Director of SRR may delegate this authority, or portions thereof, as necessary to maintain efficiency or address conflicts of interest. The SRR process is educational and provides Students the opportunity to learn from their choices and actions and wherever possible repair any harm, restore trust, and acknowledge the impact of their choices and actions.

For alleged violations of University Policy by members of the University Community who are not Students, the following policies and procedures govern:

- For faculty members: The University's Policies and Procedures Relating to Faculty Appointment, Promotion, and Tenure
- For non-faculty employees: Please see the applicable employment policy in the policy library
- For trustees or the Chancellor: The By-Laws or other Board policies of the University of Denver

If there is any conflict or dispute concerning which SRR Community Standards, policies and/or procedures govern the enforcement of the Honor Code, the following University Officials shall resolve the conflict or dispute:

- Regarding faculty: The Provost & Executive Vice Chancellor
- Regarding non-faculty employees: The Vice Chancellor for Human Resources
- Regarding trustees or the Chancellor: The Board of Trustees

For alleged violations of the Honor Code by individuals who are not University Community members (e.g. Guests), the Vice Chancellor for Student Affairs designates the Office of Student Rights & Responsibilities and the Department of Campus Safety to consult regarding further action to recommend to the Vice Chancellor for Student Affairs.

If there is any conflict or dispute concerning which policies and procedures govern in the enforcement of the Honor Code regarding non-University Community members, the Vice Chancellor for Student Affairs shall resolve the conflict or dispute.

Revision & Amendment

The Honor Code was developed and has been revised following input from a broad range

of constituencies within the University. Revisions to the Honor Code may be made to reflect the ever-changing community and circumstances facing the University.

The Student Rights & Responsibilities staff annually reviews the Honor Code and recommends changes. The Provost & Executive Vice Chancellor and the Vice Chancellor for Student Affairs hold final authority to revise or amend the Honor Code. The Office of Student Rights & Responsibilities will publish the Honor Code on the SRR website prior to the beginning of the academic term in which it takes effect.

In addition, upon recommendation from a Dean or the Faculty Senate, the Provost & Executive Vice Chancellor, in their sole discretion and through consultations with other relevant administrators, may permit individual units or divisions of the University to create more stringent professional standards that pertain directly to the unit or division involved. However, individual units or divisions cannot lessen the standards set forth in the Honor Code. The applicable unit or division must publish approved professional standards on an official University of Denver website and must provide those standards to (1) the individuals who are subject to those standards; and (2) the Office of Student Rights & Responsibilities to be utilized in the SRR process when appropriate.

At times, changes to the Honor Code are made necessary outside the annual review due to changes in federal, state, or local statutes or regulations or to address pressing University needs. The Office of Student Rights & Responsibilities will recommend such changes to the Provost & Executive Vice Chancellor and the Vice Chancellor for Student Affairs for final approval. These changes will be communicated to the University Community upon approval.

University of Denver Policy, Procedures, and Statements

Accommodation Statement

In accordance with the University's commitment to facilitate equal opportunity and full participation in University programs in compliance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and other applicable statutes and regulations, the University includes this statement to inform Students of their right to request reasonable accommodations for a documented disability, medical, or mental health condition. Students should contact the **AccessibleDU: Student Disability Services (SDS)** at 303.871.3241 or email sds@du.edu. Information is also available online at https://studentaffairs.du.edu/disability-services-program. Please note, accommodations that are reasonable in academic settings may not be reasonable in the SRR process. Students are encouraged to contact SDS as soon as possible. **SDS is the only office on campus authorized to review a student's self-disclosure of a**

disability, medical, and/or mental health condition and determine the student's eligibility for requested accommodations.

University Discrimination and Harassment Policy Statement

The University of Denver is committed to creating and maintaining a community in which people are treated with dignity, decency, and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression, and exploitation. People in this community should be able to work and learn in a safe atmosphere. The accomplishment of this goal is essential to the academic mission of the University.

Consistent with this commitment, the University will not tolerate any unlawful discrimination, harassment, or gender-based violence of any kind. When a Student is alleged to have violated the University of Denver Discrimination and Harassment Policy, 3.10.010, SRR will forward the incident Report to the Office of Equal Opportunity & Title IX for evaluation, investigation, and findings as provided in the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures. If a Student is found responsible for a policy violation under either procedure, the Outcome Council will assign Status and Educational Outcomes for that Student. The appeals process for those procedures is set forth in the applicable procedure.

University Critical Response to Emergency Conditions Statement

The University of Denver has developed a coordinated approach to respond to emergency conditions and to protect the safety and wellbeing of the entire University Community in alignment with the University's mission. This approach includes plans, protocols, procedures, and instructions based on local, state and federal guidance and applies to all members of the University Community, their Guests, and visitors to campus.

To reduce the health and safety risks, prevent property damage, and allow for continuity of operations, the University will focus on planning, training, testing, and implementation of effective health and safety protocols.

As members of the University Community, Students are expected to follow all applicable University plans, protocols, procedures, and instructions during such emergency conditions. Students who do not follow University plans, protocols, procedures or instructions during emergency conditions may be referred to the Office of Student Rights & Responsibilities for action under the Honor Code, including considerations of temporary and permanent removal from the University.

Protests & Demonstrations Statement

The University recognizes the right to freedom of expression and the free interchange of ideas, including the right to peaceful and orderly protests and demonstrations. The University also recognizes that protests and demonstrations should not disrupt University operations, restrict movement of members of the University Community on and around campus, and/or interfere with the safety or security of members of the University Community. Students are expected to uphold the policies contained within the Honor Code, other University Policies, as well as applicable laws, and will be held accountable for any violations, including, but not limited to University Policies of Interference, Noncompliance, and Property Damage. The University values providing Students the opportunity to exercise these rights and the Division of Student Affairs & Inclusive Excellence desires to help Students do so effectively. Students should reach out to the Associate Vice Chancellor & Dean of Students and/or the Assistant Vice Chancellor of Student Engagement & 4D Experience for assistance in this regard. More information can be found in the Demonstration Guide.

C.A.R.E. (Crisis Assessment Risk Evaluation) Behavioral Intervention Team

The C.A.R.E. Team is committed to providing care, support, and access to resources to promote a safe and secure environment for the University Community. The C.A.R.E. Team is comprised of University Staff Members who will intervene to manage patterns and/or instances of concerning behavior to support the individual Student while balancing the safety, health, and well-being of the University Community.

Please see the C.A.R.E. Team website for more information.

Outcome Council

The Outcome Council is the body responsible for making an impartial review of investigations and findings and imposing Outcomes after a Student has been found responsible for violations of University of Denver Discrimination and Harassment Policy, 3.10.010, pursuant to the Office Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures. The Outcome Council meets independently to make its determinations.

Typically, the Outcome Council will be comprised of three (3) University Community members, including the Director of Student Rights & Responsibilities, and an appointed Faculty Member or Staff Member, appointed by the Vice Chancellor of Student Affairs or Provost & Executive Vice Chancellor. All Outcome Council members will receive and/or have specific training pursuant to the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures and the Office of Equal Opportunity & Title IX

Comprehensive Discrimination & Harassment Procedures.

To be eligible to serve on the Outcome Council, individuals must meet the following requirements:

- Faculty Member must have been employed by and taught courses at the University for at least one (1) academic year. Faculty Member must be currently employed at the University and have taught at least one (1) course within the two (2) most recent academic terms.

- Staff Member must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.

For more information regarding the process and procedure of the Outcome Council, please refer to the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures.

Student Rights & Responsibilities Purpose

Mission Statement

The Office of Student Rights & Responsibilities, a department in the Dean of Students Office at the University of Denver, supports the University's mission by providing programs and services designed to foster an inclusive campus community and promote opportunities for holistic student living, learning, and growth. We strive to achieve a safe campus community in which Students:

- respect themselves, others, the University, and surrounding community;

- honor differences and gain an appreciation for living in a diverse society;

- maintain high standards of their personal and academic integrity;

- understand the impact of their actions and choices upon themselves, others, the University, and surrounding communities; and

- seek opportunities to repair harm, restore trust, and acknowledge the impact of their actions and choices.

The SRR process strives to be educational and restorative in our processes by offering educational Outcomes, workshops, and alternate case resolution options. Through the Outcomes assigned to Students, we hope to encourage self-awareness, social engagement, and provide opportunities for reflection and meaning-making.

Restorative Practice

At the University of Denver, we strive to take a restorative approach to support our Students in learning how to strengthen interpersonal and community relationships. By strengthening relationships, Students learn how to interact with each other intentionally and thoughtfully, communicate, and address any conflict that may arise to repair harm in that individual relationship and understand the impact on the community as whole. Sometimes a separation from the University, whether for a period of time or permanently, may be important in reaching these goals for the University Community.

Community Standards, Policies & Procedures Statement

These SRR Community Standards, policies and procedures govern all Student behavior and conduct at the University of Denver. Students are expected to uphold the values of the University and the Honor Code by exhibiting behavior and conduct that supports the spirit under which these values were established. Student's actions that are contrary to the core values of the Honor Code may be addressed through the Student Rights & Responsibilities Community Standards and Procedures as administered by the Office of Student Rights & Responsibilities.

Health & Safety Statement

The health and safety of Students are of primary importance to the University. Students are expected to take immediate action when a person's health or safety is threatened. As members of the University Community, we all must take care of each other and take steps to help promote the Health & Safety of one another and help each other thrive at DU. Students should understand that they are not medically qualified to assist their peers in situations where there is a concern for another individual's health and safety.

The Medical Amnesty Process is designed to reduce barriers to Students taking immediate action for fear of being held responsible for alcohol or drug related Honor Code violations. Situations in which the Medical Amnesty Process may apply include, but are not limited to, instances of physical injury, discrimination, harassment, sexual assault, mental health concerns, or other medical situations that occur in relation to alcohol consumption and/or drug use.

When, out of a concern for health and safety, a Student chooses to take intentional action and seek assistance from a University Official or emergency services for themselves or others, SRR will not initiate a formal conduct process for alcohol and/or drug violations if the Medical Amnesty Process applies. As a result, for the specific incident in which the Medical Amnesty Process is applied, a finding of responsibility for alcohol- and/or drug-

related violations will not appear on their Student Rights & Responsibilities Record. During emergency conditions, the University may extend this Medical Amnesty Process to include violations of the University's emergency conditions specific plans, protocols, procedures, and instructions, as applicable.

The University intends that the Medical Amnesty Process will extend to situations in which any Student makes a complaint or provides a statement to the Office of Equal Opportunity & Title IX in the course of an investigation or resolution pursuant to the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures. However, the Medical Amnesty Process does not extend to the distribution, sale, or otherwise providing another individual with alcohol or drugs for the purposes of inducing incapacitation, as defined in those procedures.

The University may determine in its sole discretion that the Medical Amnesty Process does not apply to an incident in which (1) a Student did not cooperate with University Staff or emergency personnel at the time of the incident; (2) a Student provides assistance to another individual without actively informing a University Official or emergency service; or (3) other extenuating circumstances weigh against application of the Medical Amnesty Process.

The Medical Amnesty Process is not guaranteed to apply to all situations in which a Student contacted a University Official or emergency services. Students should know that providing assistance to another Student without actively informing a University Official or emergency service does not meet the expectations associated with the Medical Amnesty Process.

When the Medical Amnesty Process is applied, SRR may issue a Student an Educational Letter to provide the Student with information and support regarding concerning use of alcohol and/or drugs. Additionally, SRR may refer Students to resources or assign other Educational Outcome(s) intended to promote health and safety. This Educational Letter and any referrals or Educational Outcomes will not constitute a reportable violation of the Honor Code.

The University expects that Students will always prioritize their own and others' health and safety. Moreover, this commitment does not preclude legal consequences or Alleged Policy Violations for non-alcohol or drug-related Honor Code violations related to the incident.

More information regarding being an Active Bystander can be found here.

Student Rights & Responsibilities Community Standards

Students at the University of Denver are expected to follow these SRR Community Standards:

A. Academic Integrity violations include the following:

1. **Cheating:** Any actual or attempted effort to engage in falsification of academic materials, claiming credit for another's work contrary to instructor/department instructions, such as copying answers on a test, and/or assisting another Student in engaging in any action that may violate one or more aspects of the Academic Integrity Policy.

2. **Plagiarism:** Any representation of another's work or ideas as one's own in academic and educational submissions, including, failure to include appropriate citation(s).

3. **Unauthorized Use:** Any actual or attempted use or possession of resources prohibited by the instructor(s) or those that a reasonable person would consider inappropriate under the circumstances for academic submissions, including prohibited or inappropriate use of the internet or Artificial Intelligence (AI). This includes selling another person(s)' class materials without their consent.

4. **Unauthorized Distribution:** Any actual or attempted distribution of resources prohibited by the instructor(s) or those that a reasonable person would consider inappropriate under the circumstances for academic use. This includes but is not limited to, selling one's own work to another individual, distributing one's own work online with the intent to share answers or questions, or posting instructor resources without written permission of the instructor.

5. **Repeated Submission:** Any submission of an academic work for more than one course without written permission of the instructor.

6. **Fabrication:** Any falsification or creation of unsubstantiated data, research or resources to support academic submissions.

7. **Impediment:** Intentionally damaging, misrepresenting, or inhibiting the academic work of another Student.

8. **Syllabus Violation:** Failure to meet expectations set forth in a course syllabus.

9. **Violation of Professional Standards:** Failure to comply with the standards applicable to a field of study, internship, externship, profession and/or academic department.

Note: SRR will apply the Academic Integrity Misconduct Process to alleged violations of Academic Integrity Policies that occur during an academic course. SRR's evaluation of an incident through the Academic Integrity Misconduct Process does not preclude SRR from evaluating other alleged violations of Community Standards through the SRR process.

B. Alcohol Violations include the following:

1. **Unauthorized Possession**: Possession and/or use of alcoholic beverages by any person under the legal drinking age of the United States (currently twenty-one (21) years of age), unless expressly permitted by law and University Policies.

2. **Unauthorized Distribution**: The manufacturing and/or delivery of alcohol, except as expressly permitted by law and University Policies. Students may not provide alcoholic beverages to any person under the legal drinking age of the United States (currently twenty-one (21) years of age). This includes hosting an event/gathering or providing the space where underage and/or excessive consumption occurs.

3. **Intoxication**: Being under the influence of alcohol to the point of causing a disruption to University activities and/or endangering one's own health or safety, regardless of age.

4. **Coerced Consumption**: Any act that may be reasonably expected to influence or cause a person to consume alcohol without their Effective Consent.

5. **Paraphernalia**: Any possession or use of paraphernalia used to facilitate the unauthorized use or rapid consumption or distribution of alcohol, including, but is not limited to, simulated or actual drinking games, or beer bongs, flasks, shot glasses, or similar items.

C. Drug violations include the following:

1. **Unauthorized Possession**: Possession and/or use of any Federally Illegal Drug, or any possession and/or use of any prescription drug or other controlled substance except under the direction of a licensed physician and with a valid prescription. As cannabis is a Federally Illegal Drug, the

University prohibits possession and/or use of cannabis, including medical cannabis, on University Premises in all circumstances.

2. **Distribution**: Manufacturing and/or delivery of any Federally Illegal Drug, prescription drugs, or other controlled substance, including cannabis in any form. This includes hosting an event/gathering or providing the space where consumption of drugs occurs.

3. **Intoxication**: Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.

4. **Coerced Consumption**: Any act that may be reasonably expected to influence or cause a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their Effective Consent.

5. **Paraphernalia**: Any possession or use of paraphernalia used to facilitate the unauthorized or rapid use or distribution of any Federally Illegal Drug or other controlled substance regardless of age; including but not limited to, cannabis pipes, bongs and scales or other measuring devices.

6. **CBD**: The use of cannabidiol (CBD) is restricted to products with no levels of THC as stated on the container. Any product containing THC or that does not state the level of THC is not allowed in University owned or operated housing or on University Premises.

D. Dishonesty includes the following:

1. **Misleading Information**: Intentionally giving false or misleading information to any University Official, law enforcement officer, and/or emergency service professional while they are performing their duties. This includes, but is not limited to, intentionally omitting information in response to a request from a University Official and asking or persuading another individual to give false or misleading information and/or to omit information in response to a request from a University Official.

2. **False Statement**: Any written or public statement about another person or group that would cause distress or would cause a reasonable person to fear for their safety and is proven to be false or misleading through the SRR process.

3. **Alteration**: Any forgery, misuse, misrepresentation, or unauthorized alteration of any University documents, records, or credentials, including, but

not limited to, the submission of false information on any official form or document to the University or alteration of University parking passes.

E. Disruption:

Any action or behavior that causes a disruption or an obstruction to any aspect of the University's mission or operations. This includes, but is not limited to, behaving in a manner that interrupts office or educational settings, participating in and/or hosting events that prevent individuals from sleep, study, or otherwise enjoy a non-disruptive living environment on and off campus. This Community Standard is not intended to prohibit organized, peaceful, and orderly protests.

F. Endangerment includes the following:

1. **Substantial Risk:** Any act that directly or indirectly creates a substantial risk to anyone's (including one's own) medical or mental health, or physical safety and wellbeing regardless of intent. This includes, but is not limited to, preventing, delaying, or interfering with any University Official, law enforcement officer, and/or emergency service professional from evaluating or providing assistance to another individual.

2. **False Report:** Any act, display, or communication that intentionally initiates or causes to be initiated any false report of an emergency, including, but not limited to, any threat of fire, explosion, or any other emergency or the unauthorized possession, use, or alteration of any emergency or safety equipment.

3. **Weapons:** Any possession or use of Weapons, ammunition, explosives, or other objects designed or used to inflict injury or damage while on University Premises or items that simulate Weapons or other dangerous objects, even if the Student possesses a valid concealed Weapons permit or other lawful permission to carry a Weapon. The reckless misuse of these items either on or off University Premises is prohibited. The University does not prohibit the possession of non-lethal self-defense instruments such as pepper spray; however, the University does prohibit the reckless or inappropriate use of those instruments or other items that could cause harm when not used for their intended purpose.

G. Falsified Identification:

Purchase, possession, use, manufacture, or distribution of forged or falsified

identification, including, but not limited to, use of another person's identification or the possession of any identification that misrepresents one's age, whether designated as "novelty" identification or otherwise, is prohibited.

H. Fire Safety violations includes the following:

1. **Explosive Devices:** Any possession or use of fireworks, explosives, or other objects designed or used to explode, inflict injury or damage, or cause a spark while on University Premises, even if the Student possesses a valid permit or other lawful permission or the reckless misuse of these items either on or off University Premises.

2. **Fire Setting/Starting:** Intentionally or recklessly causing or attempting to cause a fire that damages or threatens University or personal property and/or causes injury.

3. **Fire Safety Equipment:** Intentionally or recklessly tampering with, damaging, or improperly using fire safety equipment.

I. Harassment includes the following:

1. **Bullying:** Any intentional electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that cause physical or emotional harm to another person or group. Bullying conduct is severe, persistent, or pervasive and has the effect of substantially interfering with a community member's education, employment, or full enjoyment of the University; creating a threatening or intimidating environment; or substantially disrupting the orderly operation of the University.

2. **Coercion:** Any use of force, threats, manipulation, blackmail, bribery or extortion to persuade someone to do something.

3. **Intimidation:** Any verbal, written, or electronic threats of violence or other threatening behavior and conduct directed toward another person or group that reasonably leads the person(s) in the group to fear for their physical or emotional well-being, or significantly impacts a person's social engagement on campus.

4. **Retaliation:** Any action(s) or attempted action(s) that impose a hardship, loss of benefit, or a penalty on any Student, Faculty, or staff in response to a reasonable action taken by that individual. This includes, but is not limited to, filing, or responding to a Report, appearing as a Witness in the investigation of a Report, or serving as a Student Rights & Responsibilities Administrator or as

a member of a Case Resolution Body.

Note: In the event of alleged violations of the University of Denver Discrimination and Harassment Policy, 3.10.010, SRR will forward the incident Report to the Office of Equal Opportunity & Title IX for evaluation, investigation, and findings as provided in the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures.

J. Hazing:

Any act, even if committed with the consent or acquiescence of all parties, that endangers the psychological or physical health or safety of a person, or by which a person is encouraged to engage in conduct that a reasonable person would consider to be humiliating, when the act is explicitly or implicitly a condition of admission into, affiliation with, or continued membership in any group. Actively or passively encouraging these acts is also prohibited.

K. Interference:

Any act, display, or communication interferes with the right of access to University facilities or freedom of movement of anyone on University Premises; regardless of intent. This Community Standard is not intended to prohibit organized, peaceful, and orderly protests.

L. Noncompliance includes the following:

1. **Reasonable Request:** Any failure to comply with the reasonable request of any University Official, law enforcement officer, and/or other emergency service professional in the performance of their duties.

2. **SRR Process:** Any failure to comply with the Student Rights & Responsibilities process, including, but not limited to, failure to complete Outcomes, falsification of Outcomes, or violation of any Academic Integrity Policies in the completion of Outcomes.

3. **Identification:** Any failure to provide one's University Identification Card or any form of legal identification or to identify Guests upon the request of University Officials.

4. **Postings:** Any failure to abide by signs, placards, or other official postings.

5. **Guests & Visitors:** Students are responsible for the behavior of their Guests and visitors to the University of Denver. Students must inform their Guests and visitors of all University Policies, protocols, and procedures and applicable laws, ordinances, and public health orders or other local safety orders.

M. Physical Misconduct includes the following:

1. **Bodily Harm:** Any act causing or likely to cause, bodily harm to any person, regardless of intent.

2. **Physical Contact:** Any act resulting in physical contact with another person without their Effective Consent.

N. Property Damage:

Any act causing or likely to cause damage to the property of another person or entity without the Effective Consent of that person or entity, regardless of intent.

O. Provocation includes the following:

Any act, display, or communication directed towards a person or a group of persons that may reasonably be expected to cause an immediate disruption of normal University operations or any act, display or communication that encourages actions that may be reasonably expected to cause harm to a person(s) or damage to property, including, but not limited to, rioting.

P. Theft includes the following:

1. **Attempted:** Attempted acquisition or possession of property (including intellectual property) without the consent of the owner or person legally responsible for that property. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.

2. **Possession:** Actual acquisition or possession of property, including intellectual property, of another person or entity without the permission or authorization of that person or entity. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.

3. **Unauthorized Use:** Any utilization of labor or services by unauthorized or deceitful methods, including, but not limited to, the misuse of University parking passes.

4. **Unauthorized Procurement:** Any attempted or actual acquisition of items offered without charge when that acquisition exceeds reasonable limits or restrictions imposed by the provider of the materials, including, but not limited to, taking excessive numbers of giveaways.

Q. Unauthorized Presence includes the following:

1. **Unauthorized Access:** Entry or presence within enclosed University buildings or areas including, but not limited to, athletic facilities, construction sites, offices, another residential building owned or operated by the University, or another Student's living quarters, even if unlocked, without the permission or authorization of the owner or person legally responsible for that property, regardless of intent. This includes, but is not limited to, entry in violation of posted hours of operation or failure to depart based on posted or communicated directives or climbing on, being present on the roof of, or other invalid use or access of any University building or University owned or operated structure or other University property.

2. **Keys/Entry Devices:** Tampering with locks to University buildings, unauthorized possession or use of University keys/entry devices, and/or alteration or duplication of University keys/entry devices.

R. Violation of Housing and Residential Education's Community Standards:

In addition to the Community Standards set forth in the Honor Code, Residents and their Guests in University owned or operated housing are expected to comply with all community standards listed below, and any alleged violation of such community standards may be documented. Residents may have permitted Guests and are responsible for the actions of their Guests. Guests are expected to uphold all University Policies, including Housing & Residential Education's (HRE) Community Standards. If a Resident's Guest engages in potential violations of any University Policy or Community Standard, the Resident may be held accountable through the SRR process as outlined in this Honor Code.

Residents should discuss with their roommates and/or suitemates their expectations for following these community standards as all residents are responsible for the actions and items in their assigned living space.

1. **Alcohol standards include the following:**

   a. **Possession of Alcohol:** Only Residents who are of the legal drinking age of the United States (currently twenty-one (21) years of age) may possess

alcohol. Residents must not have alcohol in assigned living quarters where all Residents are not of the legal drinking age of the United States (currently twenty-one (21) years of age) and must not be in the presence of individuals who are under the legal drinking age while possessing or consuming alcohol within a residence hall.

b. **Excessive Quantities of Alcohol or Rapid Consumption:** Residents must not possess excessive quantities of alcohol or devices designed to quickly consume alcohol, including, but not limited to, kegs, drinking game set ups, and beer bongs, in University owned or operated housing regardless of age.

c. **Open Containers of Alcohol:** Residents m not possess open containers of alcohol in the common areas of residential communities, including, but not limited to, hallways, stairwells, elevators, lounges, and lobbies, regardless of age.

d. **Presence of Alcohol:** Residents under the legal drinking age of the United States (currently twenty-one (21) years of age) must not be in the presence of alcohol or alcohol use within a residence hall.

e. **Souvenirs and Decorative Containers:** Residents must not possess or display alcohol-related souvenirs or decorative containers in any common areas when a roommate or suitemate is under the age of 21, regardless if any roommate(s) or suitemate(s) are of the legal drinking age of 21.

2. **Drug standards include the following**:

a. **Presence or Use of Controlled, Prohibited, or Illegal Drugs:** Residents must not be in the presence of or use any Federally controlled, prohibited, or drug use. This includes, but is not limited to, being in the presence of or use of any prescription drug without a valid prescription from a licensed medical professional. All prescription drugs should be taken as directly prescribed.
Note: Medical cannabis is prohibited in University owned or operated housing regardless of a valid prescription.

b. **Provision or Delivery of Controlled, Prohibited, or Illegal Drugs (or Paraphernalia):** Any Federally controlled, prohibited, or illegal drugs (as defined in the Honor Code) or drug paraphernalia may not be provided or delivered to any Resident by any individual or delivery service. This does not include federally legal prescription drugs when the Resident has a

valid prescription from a licensed physician for that drug.
Note: Medical cannabis is prohibited in University owned or operated housing regardless of a valid prescription.

3. **Cleanliness standards** include the following**:**

   a. **Maintain Clean Personal and Shared Living Spaces:** Residents must maintain a reasonably clean-living space, free of offensive odors. Residents must keep floors reasonably clear of items, including, but not limited to, personal items, clothes, and trash.

   b. **Maintain Clean Common Areas:** Residents must individually and collectively maintain clean common areas in residential communities. Residents must not leave or store personal belongings in any common areas, including, but not limited to, hallways, stairwells, elevators, lounges, and lobbies.

   c. **Recycling and Disposal:** Residents must properly recycle or dispose of trash and unwanted personal items in the designated trash or recycling locations within the residential communities. Residents must not dispose of large amounts of recycling in any common areas not explicitly designated as recycling or trash disposal, including, but not limited to, bathrooms, laundry areas, hallways, elevators, stairwells, or lobby trash cans and should be taken to the nearest dumpster.

4. **Shared Spaces, Technology, and Facilities Use standards** include the following:

   a. **Approved Animals:** Residents may have service animals, approved emotional support animals (ESAs), and freshwater fish in aquariums or tanks of 10 gallons or fewer. All other animals, including pets, even just visiting, are prohibited from University owned or operated housing**.**

   b. **Approved Electronic Equipment:** Residents must not be in possession of or use any prohibited items in University owned or operated housing. Residents may only install additional electronic equipment that is not explicitly prohibited by University policy in their assigned living quarters or common areas. Prohibited electronic equipment includes, but is not limited to, hubs, switches, routers, and wireless access points.

   c. **Approved Items:** Residents must not be in the possession of or use

any items that are prohibited in University owned or operated housing, this includes but is not limited to candles and lighters.

d. **Appropriate Use of Furniture: Residents must use** furniture consistent with its designed purpose. Residents must not:

   1) sleep on common area furniture or in community spaces;

   2) use or allow their Guests to use beds assigned to another resident without explicit prior permission;

   3) remove furniture from its original location within the residential communities, including, but not limited to, removing furniture from an assigned space or possessing common area furniture in an assigned space; and

   4) alter, construct, possess, or modify any infrastructure or furniture outside of its original construction or configuration including, but not limited to, lofts, stacking of furniture, bed lifts, and stacking beds on concrete blocks.

e. **Authorized Use:** Residents may not use another individual's belongings without the owner's explicit permission. This includes, but is not limited to computers, gaming systems, software, clothes, cookware, and other personal items.

f. **Markings and Painting:** Residents must not paint or make any intentional markings on walls, ceilings, or furniture in assigned living quarters or common areas within residential communities.

g. **Approved Signage and Posting:** Residents must comply with signs, flyers, and other materials posted within the residential communities and follow the Housing & Residential Education Sign Posting Policy.

h. **Safe Use of Windows, Balconies, and Terraces:** Residents must use windows, balconies, and terraces consistent with their designed purpose. Residents must not:

   1) throw, hang, or drop any items, liquid or solid, from any window, balcony, or terrace;

   2) enter or exit a space through any window or terrace;

   3) sit in or on window sills;

4) remove screens from windows;

5) modify or make additions to window units; and

6) unlock or access balconies or terraces.

5. **Fire Safety standards include the following:**

a. **Cooking**: Residents must follow all cooking-related fire safety measures and requirements.

b. **Decorations**: Residents' decorations must be consistent with decorating restrictions in University-owned or operated housing. Residents must not hang decorations or other items from a smoke detector, sprinkler heads, sprinkler pipes, sprinkler line, other pipes, or ceilings, temporarily or permanently.

c. **Evacuation**: Residents must follow the evacuation process and follow all verbal directives instructions from University Officials, Fire and Police Department, and Emergency Response Personnel. This includes but is not limited to immediately exiting buildings during any fire drills or alarms.

6. **Guest Community Standards** include the following**:**

a. **Student and Non-student Guests:** Residents who host Guests must uphold the restrictions applicable to Guests, including the different restrictions applicable to Guests who are Students and Guests who are not Students.

b. **Approved Guests:** Guests and residents must comply with the applicable HRE guest policies in effect as communicated to residents by HRE.

c. **Responsible Hosting:** Residents who are hosting a Guest(s) must communicate to their Guests all applicable policies set forth in HRE community standards and the Honor Code. The University may hold Residents accountable and responsible for the actions of their Guest(s). Residents must be with their Guest(s) at all times and must compel their Guests to behave in a responsible and respectful manner while their Guests are visiting University owned or operated housing.

d. **Approved Entry:** Guests may only enter or be present, regardless

of intent, within University owned or operated housing or another Resident's assigned living quarter, even if unlocked, with the permission or approval of a University Official, Resident of the space, or person legally responsible for that property. Guests must comply with applicable restrictions on entry including, but not limited to, posted hours of operation or restricted access.

e. **Guest Sign-In:** All Guest(s) must comply with applicable sign-in procedures, including, but not limited to, stopping at the front desk to sign-in and presenting photo identification. Individuals who do not sign in or refuse to provide a photo identification when asked are considered unapproved Guests.

f. **Overnight Guests:** Guests, when approved by the applicable HRE Guest policy, must not stay overnight for more than two nights per 7-day week.

g. **Keys & Access Cards:** Residents must not provide their keys or access cards to any individual or accept another individual's keys or access card.

7. **Noise, Quiet Hours & Courtesy Hours:** Residents must keep audible noise at reasonable levels and not intrude on the rights of other Residents to sleep, study, or otherwise enjoy a non-disruptive environment. Residents must not generate noise that can be heard through a closed door or window or noise that violates quiet hours, including, but not limited to, playing music, running, slamming doors, elevated conversation, and yelling. More information regarding Noise, Quiet Hours & Courtesy Hours can be found in the Guide to Residence Living.

8. **Open Space Agreement:** When there is an unoccupied space in a Resident's assigned living quarters, HRE may notify residents to prepare for a potential roommate or suitemate. Residents must keep all of their belongings in their own space within a room and only use one set of furniture and their share of closet space.

9. **Tobacco Delivery:** Residents must not have smoking products and smoke-producing products delivered through the mail or other delivery service to University owned or operated housing.

10. **Sports Activities** Community Standards include the following:

a. **Games:** Residents must only play games using provided equipment, courts, and in designated areas. Residents must not play games, including, but not limited to, any form of ball, frisbee, snowball fights, and wrestling, in University- owned or operated housing.

b. **Transportation Devices:** Except for assistive devices for individuals with disabilities or medical conditions, residents must not use transportation devices within University owned or operated housing including, but not limited to, skateboards, bicycles, hoverboards, one wheels, and skates.

c. **Approved Room Change:** Residents may only change rooms after requesting and receiving an approved new room assignment from HRE.

S. Violation of Laws/Regulations/Ordinances:

Committing or attempting to commit any violation of local, state, federal, or applicable foreign law, or a local ordinance, regulation, public health order or other local safety order, whether on or off University Premises.

T. Violation of the University's Discrimination and Harassment Policy:

Any violation of the University of Denver's Discrimination and Harassment Policy, 3.10.010, as established through the Office of Equal Opportunity & Title IX Title IX Sexual Harassment Procedures or the Office of Equal Opportunity & Title IX Comprehensive Discrimination & Harassment Procedures.

U. Violation of Other University Policies:

Any act that is in violation of any University Policies, Protocols, or Procedures, whether or not enumerated in these Student Rights & Responsibilities Community Standards. Students must review University policies and inform their Guests of University policies.

Examples of such University policies include but are not limited to the following:

1. **Guide to Residence Living Policies**: Any act that is in violation of the Guide to Residence Living.

2. **Campus Safety Policies**: Any act that is in violation of the policies

and procedures of the Department of Campus Safety.

3. **Tobacco Free Campus Policy**: Any act that is in violation of the University's Tobacco Free Campus policy. The University does not permit vaping of any type of University Premises. Per the Colorado Clean Air Act, vaping or use of e-cigarettes is prohibited inside any public buildings and most businesses. Individuals may not vape within 25 feet of the main or front door of a building.

4. **Use and Consumption of Alcohol:** Any act that is in violation of the policies and procedures of the Use and Consumption of Alcohol Policy.

5. **Parking and Mobility Services Policies**: Any act that is in violation of the policies and procedures of Parking and Mobility Services, including, but not limited to, parking permit regulations and traffic regulations.

6. **Information Technology Policies**: Any act that is in violation of the Information Technology (IT) policies.

7. **How to be a Good, Responsible Neighbor Student Guide:** any act that is in violation of the Student Guide to be a Good, Responsible Neighbor.

8. **Policies of Academic Departments:** Any act that is in violation of the policies of any academic department; including professional standards.

9. **Other University Policy:** Any act that is in violation of any other University Policy, protocol, community standard, or procedure not listed above.

Student Rights & Responsibilities Case Resolution Procedures

Report Submission

- Any individual may file a Report with the University. As described below, certain individuals at the University must report to the University incidents involving alleged violations of University Policy, including alleged violations of Community Standards. A Report is considered to have been filed with the Office of Student Rights & Responsibilities when it has been presented in writing to a Student Rights & Responsibilities. Consistent with its obligations under the Jeanne Clery

Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the University designates certain individuals at the University as Campus Security Authorities (CSAs) and those individuals are required to notify the University of alleged Clery Act Crimes that are reported to them or that they witness. Consistent with the University's obligations under Title IX of the Education Amendments of 1972, and the Reporting by University Employees of Disclosures Relating to the University's Discrimination and Harassment Policy, the University has designated as Responsible Employees all University employees who are not Confidential Employees and requires Responsible Employees to report alleged Prohibited Conduct to the Office of Equal Opportunity & Title IX. Once a Report has been filed, the University may proceed with the Student Rights & Responsibilities process, even if a Reporting Party or Complainant later chooses to retract, rescind, or recant all or a portion of the Report or the Reporting Party or Complainant chooses not to participate in the SRR process or any related investigation.

- The University will only take action without the consent of a Complainant if, the Director of Student Rights & Responsibilities determines that such action is necessary to protect the safety, security, or integrity of the University or any member(s) of its community.

- If a Respondent withdraws or graduates from the University, the University may continue with the Student Rights & Responsibilities process.

Duration of Response and Resolution

The University will make a good faith effort to address and resolve all Reports, exclusive of appeals, within an average of sixty (60) to ninety (90) business days, without jeopardizing the rights of an Involved Party. Some considerations that may impact the timeline for completion of a report includes timeline for information gathering, the number of and availability of any Witnesses or Involved Parties, the volume of information provided, the required follow up, law enforcement involvement, difficulties in scheduling Case Resolution Meetings, University breaks, vacations, and other considerations.

The University's failure to meet the timeframes set forth in the Honor Code or to provide written notice of the extension of these time frames, shall not be grounds for dismissing any allegations or for an appeal of any matter, nor shall such failure limit the University's ability to complete Case Resolution, impose Outcomes or limit the University's ability to take any other required action.

Determination of Alleged Policy Violations & Referral of Incident Report

- Student Rights & Responsibilities staff will review available evidence/information, to determine what Alleged Community Standards Violations may be applicable, and take one of the following steps:
    - If Student Rights & Responsibilities staff determine that the Report is not substantiated, SRR will take no further action, provided that SRR may proceed with the Student Rights & Responsibilities process should SRR become aware of further relevant information.
    - If Student Rights & Responsibilities staff determine that the Report is substantiated and SRR has sufficient documentation to proceed with the Student Rights & Responsibilities process, SRR will refer the Report to a Case Resolution Body.
- If, during the Student Rights & Responsibilities process, Student Rights & Responsibilities staff receive information supporting more Alleged Policy Violations, Student Rights & Responsibilities staff will review the information and determine whether to add additional Alleged Policy Violations.

Notification of Case Resolution Meeting

- The Student Rights & Responsibilities Staff Member or designee will review the academic schedule(s) of the Involved Parties and schedule a Case Resolution Meeting with the appropriate Case Resolution Body.
- The Student Rights & Responsibilities Staff Member or designee will send each Involved Party a Proper Written Notification.

Attending the Case Resolution Meeting

The Case Resolution Meeting is an opportunity for the Case Resolution Body to learn the perspectives regarding the incident from the Involved Parties and assess, based on a Preponderance of the Evidence, whether any Student is responsible for violating University Policies. If so, the Case Resolution Body and the Student have an opportunity to evaluate the impact of the incident, begin to explore possible alternatives to the behavior and conduct that occurred, and discuss opportunities to repair harm.

- SRR reserves the right to make exceptions to any guidelines, timelines, or procedure to accommodate University scheduling, maintain confidentiality, or address any other extenuating circumstances.
- In Cases involving a minor violation of the community standards/policies set forth in the Guide to Residence Living and/or Student Rights & Responsibilities

Community Standards, an educational letter or a written warning may be sent to the Respondent instead of scheduling a Case Resolution Meeting.

- Parties, including Support Persons and Witnesses, involved with the SRR process are prohibited from making any recording of any Case Resolution Meeting or any related proceeding or meeting regarding the SRR process.

- After a Case Resolution Meeting, the Case Resolution Body can take one of the following actions regarding each Respondent:

    - Find the Respondent not responsible of violating University Policies.

    - Find the Respondent responsible using a Preponderance of the Evidence standard for violating University Policies and assign appropriate Outcomes.

    - Find the Respondent responsible for violating University Policies and refer the Student to a Restorative Justice Conference (RJC) for Outcomes when the Case Resolution Body determines that this option is appropriate.

    - Refer the Respondent to a new Case Resolution Meeting before a separate Case Resolution Body.

    - Dismiss or drop the case.

Determinations and Decision Notice

- Once the Case Resolution Body has made a decision regarding responsibility and Outcomes, Student Rights & Responsibilities will send Proper Written Notification, as applicable.

- Decision Notice may include, as applicable to the recipient, a rationale explaining the decision, the determination of responsibility for each Alleged Policy Violation reviewed and discovered in the Case Resolution Meeting, any assigned Outcomes with details and due dates for completion, and appeal instructions.

Appeal Process

- Respondents have the **right** to submit an appeal of a decision made by a Case Resolution Body based on specific Appeal Criteria identified below. In certain circumstances, Complainants have the **right** to submit an appeal of a decision based on specific Appeal Criteria identified below. In any request for an appeal, the burden of proof lies with the Party requesting the appeal.

    - The following are not grounds for appeal:

        - Mere disagreement with the decision; and/or
        - Not participating in the Case Resolution Process.
    - SRR considers appeals only based on the following Appeal Criteria:
        - The existence of procedural errors so substantial that they greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes;
        - Presentation of new and significant evidence which was not reasonably available at the time of the initial Case Resolution Meeting and would likely alter the findings, responsibility determination, and/or the ultimate Outcomes;
        - New discovery of significant conflict of interest or bias on part of a member of a Case Resolution Body member that greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes; and/or
        - The Outcomes imposed are substantially disproportionate to the severity of the violation.
    - The appeal <u>must</u> include:
        - The issues being appealed with reference to the applicable Appeal Criteria;
        - specific information to support the specific Appeal Criteria cited in the appeal; and
        - For appeals based on new and significant evidence, a specific description of the new evidence and how that evidence would likely alter the findings, responsibility determination, and/or the ultimate Outcomes.
    - The Student (rather than a third-party, such as a Support Person) must submit and have written the appeal.

- Respondents and Complainants (as applicable) wishing to submit an appeal of a decision must submit a completed appeal request form within five (5) Business Days of the Proper Written Notification.
- The Director of Student Rights & Responsibilities has the discretion to grant a

reasonable extension to the appeal submission deadline based on a submitting Party's requests. A reasonable extension is considered to be two (2) additional Business Days; however, the Director of Student Rights & Responsibilities has the discretion to adjust the length of the extension as circumstances warrant.

- If either Party submits an appeal, Outcomes assigned will be considered "on hold" pending a final decision on the appeal evaluation and/or appeal as applicable, unless SRR determines otherwise or in a Case in which the Respondent was previously issued an Administrative Action, Interim Action or Suspension.

- If either or both the Complainant and/or Respondent submits an Appeal Form, within five (5) Business Days of the date on the Decision Notice letter, the other Party(ies) involved in the Case will be notified that an appeal has been received.

- The Director of Student Rights & Responsibilities will refer the appeal to the appropriate Appellate Officer for review.

- The Appellate Officer will review the Appeal Form and associated documents submitted by the parties, Decision Notice letter, other Student Rights & Responsibilities Records, and any other applicable information to determine a decision on the appeal. The Appellate Officer's review includes determining whether the appeal submission meets the Appeal Criteria. However, their review does not involve re-hearing the Case or assessing the appropriateness of the University's policies and procedures.

- In the SRR process, neither Complainants nor Respondents have the right to view the appeal documents that were submitted by the other Party(ies). However, the Appellate Officer may reserve the right to forward any and all portions of the appeal documents to the other Party(ies) as needed to address matters raised in the appeal. In such situations, the other Party(ies) will be given the opportunity to submit a written response by a stated deadline.

- The Appellate Officer may take one of the following actions:

    - Deny the appeal and uphold the original decision based on not satisfying the Appeal Criteria; or

    - Accept the appeal based on satisfying the Appeal Criteria and either:

        - Send the Case back to Student Rights & Responsibilities for an administrative review;

- Send the Case back to Student Rights & Responsibilities to address a finding of substantially disproportionate Outcomes; or
- Dismiss the Case.

- The University will make a good faith effort to complete the appeal within ten (10) Business Days from the date the appeal is provided to the Appellate Officer.
- The Appellate Officer's decision is considered final and there are no further routes of appeal.

Case Completion

- The Case Resolution process is considered completed when either no appeal is submitted by a Respondent or Complainant (as applicable) within five (5) Business Days or an appeal is denied, rendering the decision by the Case Resolution Body as final.
- Student Rights & Responsibilities staff may notify campus entities of the decision as necessary in order to move forward with processes impacted by the Outcomes.

Administrative Action, Interim Action, and Interim Suspension

All Students have the right to continue their education free from the threat of harassment, abuse, retribution, or violence. The University may act or offer services that are designed to protect the safety, security, or integrity of a Complainant, a Reporting Party, a Witness, the University, or any member of the University Community.

Administrative Action, Interim Action, and Interim Suspension include, but are not limited to, Mutual No Contact Orders, Location Restrictions, involuntary removal from a course, program, activity, or University Premises, and modifications to living arrangements pending case resolution, and/or prior to reporting incidents to law enforcement or other non-University agencies.

For matters under the jurisdiction of the EOIX, the University will consider emergency removal consistent with the applicable EOIX procedures.

Administrative Action

The Office of Student Rights & Responsibilities (SRR) has the authority to make administrative decisions to promote safety that do not interrupt the academic progress of a Student for matters under SRR's jurisdiction. SRR may take Administrative Actions including restricting a Student from a particular extracurricular event, making a temporary

housing reassignment in University owned or operated housing, or removing a Student from University owned or operated housing. Administrative Actions are not appealable.

For investigations and resolutions under the jurisdiction of the EOIX, the University will consider emergency removal consistent with the applicable EOIX procedures.

Interim Action

- The Vice Chancellor for Student Affairs may restrict a Student's access to some University resources or activities for an interim period prior to case resolution.

- An Interim Action will be effective immediately, without prior notice, whenever the Vice Chancellor for Student Affairs determines that the continued engagement of the Student on the University Premises or involvement in University activities poses a disruption to the ability of any member of the University Community to participate in University activities or to the stability and continuance of normal University operations. The Student may appeal an Interim Action within five (5) Business Days. However, the Interim Actions will remain in effect while the appeal is pending.

- During an Interim Action, the Student is denied access to University Premises, in part, and University activities or privileges for which the Student might otherwise be eligible, as the Vice Chancellor for Student Affairs may determine to be appropriate.

- Whenever a Student is subjected to an Interim Action, the University will complete case resolution as promptly as possible. The Interim Action will remain in effect until a final decision has been reached, including any appropriate appellate process.

Interim Suspension

- The Vice Chancellor for Student Affairs may suspend a Student for an interim period prior to case resolution.

- An Interim Suspension will be effective immediately, without prior notice, whenever the Vice Chancellor for Student Affairs determines that the continued presence of the Student on the University Premises poses a substantial threat to any member of the University Community or the stability and continuance of normal University operations. The Student may appeal an Interim Suspension within five (5) business days. However, the Interim Suspension will remain in effect while the appeal is pending.

- During an Interim Suspension, the Student is denied access to University Premises and all University activities or privileges for which the Student might otherwise be eligible, as the Vice Chancellor for Student Affairs may determine to be appropriate.

- Whenever a Student is subjected to an Interim Suspension, the University will complete case resolution as promptly as possible. The Interim Suspension will remain in effect until a final decision has been reached, including any appropriate appellate process.

Mutual No Contact and Location Restriction Orders

A Mutual No Contact Order is a written directive for the identified parties to avoid all contact and/or communication with one another. Unless expressly stated otherwise in the Mutual No Contact Order, contact is defined as communicating in person, communicating through a third party, and communicating through all forms of written and/or electronic contact (including phone, email, texting, and social media). The Mutual No Contact Order may apply to other forms of contact, as the University deems appropriate under the circumstances.

A Location Restriction Order is a written directive for one or more identified parties not to enter a designated portion of University Premises. The written Location Restriction Order will define the space to be avoided, which may include particular rooms, buildings, outdoor areas, events, or other spaces as described in the Location Restriction Order. The Location Restriction Order may also require a housing reassignment or reassignment to a different section of a course for one or multiple individuals identified in the Location Restriction Order.

Although these Mutual No Contact Orders and Location Restriction Orders are not considered disciplinary in nature, if it is determined that a Student failed to abide by the terms of the Mutual No Contact Order and Location Restriction Orders this will constitute a violation of University Policy.

Mutual No Contact Orders and Location Restriction Orders may be issued as an Emergency Order through the Department of Campus Safety and will be in effect for no more than 5 Business Days. For more information on Mutual No Contact Orders and Location Restriction Orders, please see the SRR website. To request a Mutual No Contact Order and/or Location Order, please complete this form.

Case Resolution Bodies

When Student Rights & Responsibilities determines that an Alleged Policy Violation has

occurred, SRR will refer the Case to a Case Resolution Body for responsibility and/or Outcome determination.

A Case Resolution Body is any person, persons, or groups authorized by the University to determine whether a Student has violated Student Rights & Responsibilities Policies and to impose Outcomes when appropriate.

All Case Resolution Bodies have the authority to make a determination regarding responsibility for violations of Honor Code and/or other University Policies and assign Outcomes as appropriate:

- The Director of Student Rights & Responsibilities has the authority to impose Outcomes up to, and including, Suspension.
- The Director of Student Rights & Responsibilities, has the authority to enter into a Case Resolution Agreement with Involved Parties.
- The Director of Student Rights & Responsibilities has the authority to authorize Student Rights & Responsibilities staff members to impose Outcomes up to, and including, Elevated Probation.
- The Director of Student Rights & Responsibilities has the authority to authorize Housing and Residential Education (HRE) staff to conduct Case Resolution Meetings for Cases that originate in University owned or operated housing and are not assigned to a different Case Resolution Body. Generally, HRE staff may hear Cases involving alleged violations of policies set forth in the Guide to Residence Living and alleged violations of Student Rights & Responsibilities Community Standards. HRE staff members have the authority to assign Outcomes up to, and including, Probation.
- Faculty Members or the designated decision maker in an academic department or unit have inherent authority to make decisions on Academic Actions when they have determined a Student has violated one or more Academic Integrity Policies. Academic Actions may include, but are not limited to failure of an assignment, failure of a course, or recommendation of termination from a program of study as per applicable procedures.
- Student Accountability Board (SAB) has the authority to conduct Case Resolution Meetings involving student Respondents and issue all forms of Outcomes, up to and including Expulsion from the University.
- Restorative Justice Conference (RJC) is an alternative dispute resolution process and will only be considered when: (1) the Student Respondent(s) have taken responsibility

for violating the applicable Student Rights & Responsibilities Community Standards and have an interest in repairing the harm done by their actions; and (2) the Complainant(s) agree to participate in the process.

Student Accountability Boards

- The Director of Student Rights & Responsibilities will be the Chair for the SAB. The role of the Chair is to facilitate the SAB and to advise the SAB. The Chair does not make decisions on responsibility or Outcomes. When possible, the SAB should be compromised of three (3) eligible members of the University Community. When possible, the SAB will be comprised of one (1) Student, one (1) Faculty Member, and one (1) Staff Member.

- Specific guidelines for who may serve on an SAB are as follows:

    - When possible, the undergraduate or graduate status of the Respondent(s) will be the same as the status of the Student member of the SAB.

    - In Cases involving an alleged violation of Academic Integrity Policies, at least one (1) member of the SAB must be a Faculty Member.

    - The SAB may conduct a meeting with only two (2) members, provided the Respondent(s) and Complainant(s) (if applicable) have no relevant objections.

    - To be eligible to serve on the SAB, individuals must meet the following requirements:

        a. Students must be registered as a full-time Student in good standing after completing at least one (1) term of coursework at the University.

        b. Faculty Members must be currently employed by the University and must have taught courses at the University for a minimum of one (1) academic term. Faculty Members must also have taught at least one (1) course within the most recent two (2) academic terms.

        c. Staff Members must be currently employed part- or full-time and must have been employed full- or part- time by the University for at least one (1) academic term.

    - All members must be neutral and impartial decision-makers, free of any significant and demonstrable bias pertaining to the incident being resolved.

- SAB Procedures
    - The SAB meeting will be recorded. This recording will be kept for a period of no less than seven (7) years from the date of the Respondent's most recent Case and/or completion of all Outcomes, whichever is later.
    - The SAB meeting will be closed, with participation limited to the Respondent(s), the Complainant(s), approved Support Persons, SRR approved Witnesses, the Chair, the SAB members, SAB members in training, and any other appropriate University Official, as applicable.
    - The Office of Student Rights & Responsibilities will notify the Respondent(s) and Complainant(s) (if applicable) of the SAB Members who will be serving. Respondent(s) and Complainant(s) have the right to object to the participation of any member based on a significant, demonstrable bias.
        - The party must submit such written objections, with supporting information, to the administrator designated in the notice within two (2) Business Days of release of the SAB members' names.
        - The designated administrator will review any concerns and determine whether the objection has merit. The Office of Student Rights & Responsibilities will notify the Respondent(s) and Complainant(s) if any changes to the SAB composition have been made as a result of the objection.
        - If the Office of Student Rights & Responsibilities designates a new SAB member, Respondent(s) and Complainant(s) will have one (1) Business Day to submit any written objections to the new SAB member to the designated administrator for review.
    - The Chair will restrict all statements to matters relevant to the Case.
    - The Chair has the authority to set reasonable expectations regarding behavior. Any person disrupting, interfering with or failing to abide by the decisions of the Chair may be removed from the SAB Meeting. The SAB will continue in that individual's absence.
    - Support Persons, if present, are restricted to consulting with the party they are there to support. Support Persons may not address other Involved Parties, Witnesses, or the SAB unless invited to do so by the Chair.
    - Deliberations are limited to the members of the SAB and are not recorded.

- The SAB Meeting and the results of the SAB Meeting are protected by the Family Educational Rights & Privacy Act (FERPA) as part of the education records of the Student(s) who participate in the SAB Meeting.
- Respondent(s) and, as appropriate, Complainant(s), will receive information regarding the proceedings of the SAB upon notification of the scheduled SAB.
- The order of proceedings includes the following:
  - Summary of the Incident and statement of the Alleged Policy Violations
  - Opportunity for the Respondent(s) to respond to the Alleged Policy Violations by accepting or denying Responsibility
  - Opening statements by all Complainant(s) and/or Respondent(s)
  - Presentation of SRR approved submitted evidence/information
  - Opportunity for the SAB Members to ask questions of all Complainant(s), Respondent(s) and/or Witnesses
  - Closing statements by Complainant(s) and/or Respondent(s)
  - Deliberations
  - The Chair has the discretion to vary the specific order of the proceedings, so long as each of the components is included. Additionally, there may be multiple Complainants and Respondents involved in a SAB at one time. All Complainants will speak first, followed by all Respondents.

Restorative Justice

At times, Students may make decisions that are violations of the Honor Code that may negatively impact and/or disrupt the University Community. SRR strives to promote opportunities for holistic student learning and growth when Students take responsibility for their mistakes and decide they would like to repair harm in their community; this is referred to as Restorative Justice. The Restorative Justice process can only be used if the University determines, in its sole discretion, that Restorative Justice is an appropriate process for the incident, the Respondent accepts responsibility for their actions and choices and the Complainant and/or impacted parties are able to participate fully. During a Restorative Justice process, impacted parties have an opportunity to share their perspective, confront the behavior, express the impact of the actions on them, and help

develop Outcomes. Throughout this process, Students have an opportunity to reflect on this experience and learn how to move forward in a positive and productive way.

- Members of the greater University Community will serve on a Restorative Justice Committee (RJC), including Faculty Members, Staff Members, Students, alumni, neighbors, and impacted parties. RJCs use a collaborative process to create an Outcomes Agreement and can impose a variety of Outcomes focused on reconciliation, resolution, and/or the betterment of the University Community.

- If the members of an RJC successfully create an Outcomes Agreement, the Respondent(s) cannot appeal the Outcomes because the Respondent(s) participated in this mutually agreed upon decision. If the members of an RJC cannot come to an agreement about Outcomes, the RJC is considered unsuccessful, and the Case will be sent back to the Student Rights & Responsibilities Process for traditional Case Resolution.

- The typical rights and responsibilities provided to Students in the traditional Student Rights & Responsibilities process may not be applicable in an RJC.

Outcomes

The Student Rights & Responsibilities process is designed to create opportunities for holistic student living, learning, and growth to promote a safe campus community. Outcomes are intended to be educational and endeavor to encourage student development of self-awareness, social engagement, and a sense of purpose. Individuals found responsible for violating policies will be held accountable and assigned Outcomes that balance the developmental needs of the Respondent and the needs of the University to provide equitable process and promote a safe campus community.

The Office of Student Rights & Responsibilities will determine Outcomes for violations of Student Rights & Responsibilities Community Standards using criteria, including, but not limited to, the following:

- The nature and severity of the action/incident;

- The use of physical violence (if any) associated with the incident;

- The impact of the conduct on Complainant(s), University Community, community members, University and community safety, and University environment;

- The number of Complainants and/or impacted individuals;

- The maintenance of a safe and respectful living, learning, and working environment;
- The Respondent's level of demonstrated understanding regarding the impact their choices and actions had;
- The Respondent's acceptance of responsibility;
- The influence of alcohol or other drugs;
- The circumstances and severity of the violation including behavior and conduct;
- The intent of the Respondent;
- A Student's previous Student Rights & Responsibilities Record or relevant or related criminal convictions (if known); and
- Any other mitigating, aggravating, or compelling factors.

The Office of Student Rights & Responsibilities assigns Outcomes for the entirety of an incident, not for each violation, and will take prior conduct history into account. All Outcomes typically include a Status Outcome and at least one appropriate Educational Outcome.

Status Outcomes

These Outcomes define the Student's standing at the University. These include the following:

- **Educational Letter:** An Educational Letter is given to notify a Student that their behavior and conduct has been inconsistent with the expectations of the University. An Educational Letter has no immediate effect upon a Student's status at the University. SRR would not routinely report an Educational Letter as part of a Student's conduct history when asked for purposes of transferring schools or for admission to graduate school. SRR will keep the Educational Letter as part of the Student's education records.
- **Written Warning:** A written warning is given to notify a Student that their behavior and conduct has been inconsistent with the expectations of the University. A written warning has no immediate effect upon a Student's status at the University.
- **Probation:** Probation serves to notify a Student that they must avoid any further violations for a specified period of time to remain a Student at the University. Students on probation are not in good standing with the University. As a result, a

Student may be prohibited from participating in certain co-curricular activities while on probation. If a Student on Probation is found responsible for any further violations of the Student Rights & Responsibilities Community Standards or University Policy, the Student may be placed on a more elevated Status Outcome.

- **Elevated Probation:** Elevated Probation serves to notify a Student that they must avoid any further violations of the Student Rights & Responsibilities Community Standards for a specific period of time in order to remain a Student at the University. When a student on Elevated Probation is alleged to be involved with any subsequent violations of the Student Rights & Responsibilities Community Standards or University Policy, they may be issued an Interim Suspension until the University can determine their responsibility in the subsequent incident. Students on Elevated Probation are not in good standing with the University. As a result, a Student on Elevated Probation may be prohibited from participating in certain co-curricular activities. If the student on Elevated Probation is found responsible for any further violations of the Student Rights & Responsibilities Community Standards or University Policy, the Student may be suspended or expelled from the University.

- **Suspension:** A Student who has been suspended from the University may not participate in any University activities, academic or otherwise, for a specific period of time, and will be restricted from all University Premises. A suspended Student who wishes to re-enroll must apply for readmission to the University and must also apply to the Director of Student Rights & Responsibilities who will determine whether any and all requirements for readmission have been satisfactorily completed. The University does not accept courses that the Student may have completed at another institution while on suspension.

- **Expulsion:** A Student who has been expelled from the University is permanently prohibited from participating in any University activities, academic or otherwise, and will be permanently restricted from all University Premises.

Educational Outcomes

These Outcomes are intended to facilitate the learning process and encourage Students to reflect on the impact of the decisions they have made and help Students develop the skills necessary to be successful at the University. If a Student fails to complete any Educational Outcome by the specified deadline, the University will place a hold on a Student's registration account with the University, and the Student may be subject to further action under the Honor Code.

Types of Educational Outcomes include, but are not limited to:

- **Reflective Activities:** The Student is required to, for example, write a reflection paper, maintain a journal, or write a review of a policy.

- **Programs & Activities:** The Student is required to, for example, complete community service hours, attend a program, or design a poster board.

- **Interventions:** The Student is required to, for example, undergo a counseling consultation, assessment, complete a drug and/or alcohol evaluation, or attend a workshop.

- **Restrictions:** The Student is restricted from certain locations or activities, for example, a single residence hall or a particular Student Organization.

- **Referrals:** The Student is referred to another process, such as mediation, for resolution.

Parental or Legal Guardian Notification Policy

The University considers Student Rights & Responsibilities Records to be part of a Student's education record. Accordingly, the University complies with all applicable laws and regulations, including but not limited to the Family Educational Rights and Privacy Act (FERPA).

The University recognizes that parent(s) or legal guardian(s) maintain an interest in their Student's behavior and conduct while at the University, and parents or legal guardians can play a positive role in addressing these issues. Therefore, the University may notify the parent(s) or legal guardian(s) of any Student under the age of twenty-one (21) whose current enrollment ends due to Suspension or Expulsion. The University also reserves the right to notify the parent(s) or legal guardian(s) of any dependent Student under the age of twenty-one (21) who has been found responsible for violating any drug or alcohol policies after the appeal process has concluded or the time for filing an appeal has passed without the Student filing an appeal. Students may be required to provide contact information for their parent(s) or legal guardian(s). The Director of Student Rights & Responsibilities has the sole discretion to decline such notification under certain circumstances.

This notification is intended as a means to encourage communication between Students and their parent(s) or legal guardian(s) to provide the greatest level of support for the Student. Nevertheless, the University's primary relationship is with its Students, rather than with their parent(s) or legal guardian(s), and the University's priority and obligation is to correspond and otherwise conduct business directly with Students and

not through parent(s), legal guardian(s), or any other third party.

Rights of Involved Parties

The Student Rights & Responsibilities process is designed to be educational in nature and to fairly determine if a Student is responsible for violating the Honor Code. If the Student is found responsible, the goal is to hold the Student accountable for violations, assist the Student in understanding the impact their behavior has had on others, and provide opportunities to repair harm and restore trust. The process is also designed to provide those who may have been impacted by these actions an opportunity to address an alleged violation of the Honor Code. Throughout the Student Rights & Responsibilities process, Involved Parties have certain rights and responsibilities which include:

Fair Treatment

- The **right** to be treated with dignity and respect.
- The **right** to receive information regarding the SRR process and their role within this process.
- The Respondent has the **right** to be considered not responsible for an alleged violation(s) of the Honor Code unless found responsible during this process. The **right** to object to a member of a Case Resolution Body based on significant demonstrable bias that would affect that member's ability to render a fair decision.
- The **right** for all decisions in the process to be based upon a Preponderance of the Evidence standard.
- The **right** to request in a timely manner a reasonable arrangement (e.g. for language barriers or location/proximity concerns) and/or reasonable accommodation (e.g. for disability) to allow their full participation in the SRR process.
- The **right** to notify the leadership of the Office of Student Rights & Responsibilities via the online reporting form if the Student has concerns with the SRR process.

Privacy

- The **right** to protection of information subject to applicable provisions of the Family Educational Rights and Privacy Act (FERPA).

Presence of a Support Person

- The **right** to have one (1) Support Person of their choice present throughout the

SRR process.

- A Support Person can be any person chosen by the Student, including but not limited to a parent or legal guardian, family member, or an attorney.
- Individuals who are Involved Parties or Witnesses in the Case or a member of the Case Resolution Body must not serve as a Support Person.
- The University may not reschedule proceedings to accommodate the schedule of a Support Person.
- A Support Person must not speak on behalf of the Involved Party nor actively participate in the proceeding. A Support Person must not attend a Case Resolution Meeting or other related meetings without the Involved Party they are supporting being present.
- SRR will not consider or accept submissions or information from a Support Person. If a Support Person attempts to present information or submit documents on behalf of an Involved Party, SRR will notify the Involved Party and provide the Involved Party a reasonable amount of time to submit the information or documents directly, however SRR will not extend procedural deadlines for this reason. If the Involved Party elects not to submit the information or documents, the information previously submitted by the Support Person will not be considered in the investigation or any resolution, including any appeal.

Written Notice

- The **right** to Proper Written Notification of any Case Resolution Meeting a Student is invited to attend as a result of a Report being filed. The notification may include the following:
  - The time, date, and location of the Case Resolution Meeting and procedures for requesting a change in time and/or date;
  - A summary of the incident, copy of the redacted Report, or the office or agency to contact to request information underlying the Report;
  - The Alleged Policy Violations being considered at the time of the Proper Written Notification;
  - The name of the Reporting Party and/or office or agency (as available and appropriate); and

- The process and Outcomes for not attending the Case Resolution Meeting.

Respond to Allegations and Provide Statement

- The **right** to view any supporting documents not already provided in the Proper Written Notification, such as videos and photos. The University will use reasonable efforts to allow the Involved Parties to review those materials in a monitored environment.

- The **right** to respond to the Alleged Policy Violations, including the right to present information directly relevant to the incident.

  - Polygraphs or "lie detector" results are not considered relevant and therefore are not allowed to be presented in any matter under the SRR process.

- The **right** to present Witnesses.

  - The SRR process addresses Student behavior and conduct, not Student character, therefore character witnesses, statements, and reference letters are not considered relevant and therefore are not permissible.

  - Witnesses must be identified through this form.

Written Decision and Appeal

- The right to a Proper Written Notification of the results of their Case Resolution Meeting. The notice will include the following information:

  - The determination of Responsibility for the alleged violations of the Student Rights & Responsibilities Community Standards

  - The rationale for the finding

  - If found responsible for a policy violation(s), the Outcomes imposed

  - Information regarding the criteria for eligibility and steps to appeal the finding(s) and/or Outcomes based on specified criteria.

- Complainants only have the **right** to receive a Proper Written Notification and a right to appeal the results of a Case Resolution Meeting convened because of a Report they filed if the Complainant is a victim of an alleged crime of violence. If a Complainant dies because of the incident, the alleged victim's next of kin has the right to such notification.

Other Case Resolution Types

Academic Integrity Misconduct Process

The University of Denver creates an academic learning environment grounded in Academic Integrity. Students are expected to engage honestly and demonstrate responsibility in research and academic assignments. Therefore, all work and grades should result from the Student's own understanding of the materials and their effort. Unless expressly permitted by the Faculty Member, Students must not use Artificial Intelligence (AI) to create all or any portion of a Student's academic work.

Faculty Members or designated decision maker in an academic department or unit are responsible for determining if a violation of an Academic Integrity Policy has occurred. When evidence/information indicates that a Student may have violated an Academic Integrity Policy, the Faculty Member or designated decision maker in an academic department or unit should contact the Student and provide an opportunity for the Student to respond to the allegation.

If the Faculty member or designated decision maker in an academic department or unit determines that the Student has violated an Academic Integrity Policy, the Faculty member or designated decision maker in an academic department or unit will assign appropriate Academic Actions and will work with SRR to identify any appropriate Educational and Status Outcomes.

For more information regarding the Academic Integrity Misconduct Process, please see the SRR website.

Policy on the Disruption of the Learning Environment

The University is committed to promoting a positive and safe Learning Environment. Individual Faculty Members and Staff Members have the right to determine whether specific Student behavior and conduct is disruptive to the Learning Environment, and as a result, Faculty Members and Staff Members may require a Student to leave an **individual** Learning Environment; however, Faculty Members and Staff Members are not authorized to permanently remove a Student from the Learning Environment without following the process set forth below and/or the SRR process, whichever the Office of Student Rights & Responsibilities in its discretion determines is appropriate.

The Disruption of the Learning Environment Process should be initiated as soon as possible after the initial disruption. If during this process, the Student's continued presence in the Learning Environment represents a ***significant impediment*** to the

educational process of the Learning Environment**,** the University may officially withdraw or remove the Student from the Learning Environment. If attempts at informal resolution fail or are not possible, the University will follow the withdrawal or removal procedure.

Faculty Members, Staff Members, or Students in the Learning Environment in which the disruption is alleged to have occurred should file an SRR Incident Report.

The process to address a Disruption of the Learning Environment r Process report is as follows:

- After a Faculty Member, Staff Members, or Student files an Incident Report, the Dean or designee, as a neutral party, will lead a meeting between the Student and Faculty Member or Staff Members responsible for the Learning Environment to attempt to resolve the concern as soon as possible after the submission of the SRR Incident Report.

- The Faculty Member or Staff Member need not lead the meeting but should be present at this initial meeting with the Student.

- The Director of SRR, will attend the meeting to help facilitate administrative response and provide clarification regarding policies and procedures.

- Additional University Community Members (including, but not limited to, Dean's office staff or Campus Safety staff) may be asked to attend this meeting.

- The Student may bring a Support Person to this meeting, provided that the Support Person must follow all limitations on the role of a Support Person as set forth in the Honor Code.

- If the Student fails to attend the meeting, the Faculty Member or Staff Member may proceed with a request to the relevant Dean's office for an involuntary removal of the Student from the Learning Environment.

- If the initial conversation does not resolve the conflict or if the Student fails to attend the meeting, the Dean will issue a determination within five (5) Business Days from the scheduled time of the meeting.

- During the time between the meeting and the determination, the Student is not permitted to return to the Learning Environment and the Faculty Member and Staff Member shall provide the Student with materials, assignments, and other Learning Environment information the Faculty Member and Staff Member deems essential to assist the Student with remaining current in the Learning

Environment.

- The Dean will communicate the determination regarding whether or not the Student will be withdrawn or removed from the Learning Environment to the Student, Faculty Member, Staff Member, and applicable University Officials.

- If the Dean determines that withdrawing or removing the Student from the Learning Environment is necessary, the Student will be provided the opportunity to withdraw from the Learning Environment voluntarily. If this is a course, if the Student does not drop the course voluntarily, the Office of the Registrar will drop the student from the course. In either case, the Student's transcript will reflect a "W" for withdrawal if the action occurs after the course drop deadline.

- If the Dean determines that withdrawal or removal is not warranted, the Student shall be allowed to return to the Learning Environment at the next scheduled opportunity. The Student may be required to sign a Behavioral Responsibilities Agreement to set forth expectations for appropriate and inappropriate conduct for the remainder of the course as well as the consequences for violating the agreement. The agreement is not appealable. The agreement will be kept on file with the Office of Student Rights & Responsibilities.

- The Student may appeal the withdrawal or removal decision in writing to the Office of the Provost & Executive Vice Chancellor no later than five (5) Business Days from the date of the Dean's. The Provost & Executive Vice Chancellor will only consider appeals based only on the following criteria:

    - The existence of procedural errors so substantial that they greatly impacted the decision;

    - Presentation of new and significant evidence which was not reasonably available at the time of the initial meeting and would likely alter the decision; and/or

    - The decision is substantially disproportionate to the severity of the violation.

- Mere disagreement with the decision is not grounds for appeal.

- During the appeal process, the Student is not permitted to participate in the Learning Environment. The Faculty Member or staff member shall provide the Student with materials, assignments, and other Learning Environment information the Faculty Member or staff member deems essential to assist the Student with remaining current in the Learning Environment.

- The Provost & Executive Vice Chancellor will render a decision to the Student no later than five (5) Business Days from the date of receipt of the appeal. This decision is final with no further avenue of appeal.

Student Organizational Rights & Responsibilities Process

The Office of Student Rights & Responsibilities maintains the authority to investigate and adjudicate any violation of University Policies by Student Organizations. The Director of Student Rights & Responsibilities has the authority to delegate responsibility for investigation or adjudication of Alleged Policy Violations.

Student Rights & Responsibilities action taken against Student Organizations is an extension of the University's Student Rights & Responsibilities process. Student Rights & Responsibilities, in consultation with relevant campus partners including, but not limited to Athletics & Recreation, Office of Student Engagement, Student Affairs & Inclusive Excellence staff, shall take whatever action deemed necessary to respond to complaints involving Student Organizations and/or to prevent future violations.

For more information regarding the policies and procedures related to Student Organizations, please see the Office of Student Rights & Responsibilities website.

Student Rights & Responsibilities Records Policy

The Office of Student Rights & Responsibilities will be responsible for maintaining all official University records related to Student Rights & Responsibilities. A Student Rights & Responsibilities Record will include copies of all Cases in which a Student is found responsible for violating at least one Student Rights & Responsibilities Community Standard, as well as copies of all relevant correspondence and other documentation related to the Case.

Please see the Student Rights & Responsibilities website for specific SRR Records Policies and Procedures.

Definitions

For the purposes of this document, the following definitions apply:

- *Academic Actions* are consequences that are determined by Faculty Members for Students found responsible for Academic Integrity Misconduct within a course or academic program.

- *Administrative Actions* are administrative decisions to promote safety that do not

interrupt academic progress of a Student for matters under SRR's jurisdiction.

- *Alleged Community Standard Violations* mean the Student Rights & Responsibilities Community Standards or University Policies that a Student is notified that they allegedly have violated as a result of the incident described in a *Report*.

- *Appellate Officer* is a University official who has been designated to evaluate an appeal if the *Appeal Criteria* are met.

- *Associate Vice Chancellor for Student Affairs & Dean of Students* is an administrator within the Division of Student Affairs & Inclusive Excellence. The Associate Vice Chancellor for Student Affairs & Dean of Students can appoint a designee to act on their behalf in times as needed, such as in an absence or when a conflict of interest may apply.

- *Business Day* refers to any weekday Monday through Friday in which the University is in operation, including days when the University is in operation, but classes are not in session. For example, University holidays are not Business Days.

- *Case(s)* refer to a *Report* in which *Alleged Policy Violations* are identified and at least one *Respondent* is named.

- *Case Resolution Body* refers to any person, persons, or groups designated by the University to determine whether a Student has violated Student Rights & Responsibilities Community Standards and to impose Outcomes when appropriate.

- *Case Resolution Meeting* refers to the time and date during which a Student will be invited to present their perspective of an incident with the designated Case Resolution Body.

- *Community Standards* refers to the expectations for, prohibitions, and other restrictions on Student's behavior at the University as set forth in the Honor Code.

- *Complainant* means a Reporting Party or an individual who is alleged to have experienced harm as a result of the incident described in a Report.

- *Constructive Action* means making a Report of any action contrary to University Policies to someone in a position to take action – such as a Faculty Member, Dean, Campus Safety officer, or other University Official.

- *Director of Student Rights & Responsibilities* is the University administrator responsible for the oversight of the Student Rights & Responsibilities Policies and Procedures. The Director can appoint a designee to act on their behalf in times as needed, such as in an absence or when a conflict of interest may apply.

- *Evidence/Information* refers to credible information, including, but not limited to, perspective statements or reports, pictures, screenshots, and documented communication in whatever medium, that is related to the incident being addressed.

- *Effective Consent*, in reference to Student Rights & Responsibilities Community Standards such as Alcohol Misuse, Drug Misuse, Hazing, Physical Misconduct and Property Damage, means an informed, mutually understandable words and/or actions that indicate a willingness to participate in and/or allow a specific activity, freely and actively given by a person with the current mental capacity to make rational decisions. A person may be without such capacity due to the influence of alcohol and/or other drugs. Consent is not effective if it results from the use of physical force, threats, intimidation, or coercion. A person always retains the right to revoke consent at any point during an activity. In order to give consent, one must be of legal age. Consent to any one activity cannot automatically imply consent to any other activity.

- *Faculty Member* means an employee of the University who is responsible for the management and/or teaching activities of a course, assignment of the grade for the course or learning environment, supervision of a learning environment, and/or other related academic initiatives, including, but not limited to the instructors, professors (e.g. teaching, clinical, research, adjunct, visiting, tenured, or tenure-track), and teaching assistants.

- *Federally Illegal Drugs* are set forth by the Controlled Substances Act (CSA), 21 U.S.C. 801 et seq., as amended. Under CSA, marijuana is classified as a Schedule I controlled substance; all forms of cannabis are illegal under federal law, even medical marijuana, and regardless of state drug laws. In an effort to comply with the Drug-Free Schools Act, the University prohibits the distribution, possession, use, or manufacture of marijuana in any form or paraphernalia associated with the use of Federally Illegal Drugs on University Premises.

- *Guests* includes visitors and any individuals who do not have an assigned living space in the particular residence hall or apartment building in which they are currently located within University owned or operated housing. Guests can include (1) Residents of another residence hall or apartment building within University owned or operated housing; (2) Students who are not residents of University

owned or operated housing; (3) other individuals who are not Residents or Students.

- *Involved Parties* refers to Respondents and Complainants associated with the incident being addressed.

- *Learning Environment* includes, but is not limited to, class meetings, course discussions, study groups and/or sessions, office hours, labs, advising sessions, field trips, extern or internships, whether in-person, telephonic or virtual, or via any other applicable program or platform.

- *Outcomes* are required University statuses and educational opportunities, restrictions, and/or expectations for a Student found responsible for violating Student Rights & Responsibilities Community Standards.

- *Preponderance of Evidence* is the standard of proof applied in in the SRR process in which, an allegation is proven if, based on the credible, relevant information presented during a Case Resolution Meeting on the one side outweighs the credible, relevant information on the other side, such that it is more likely than not the alleged fact or conduct occurred.

- *Proper Written Notification* means (1) delivery via electronic mail to the Student's preferred email address in MyDU or other approved University process; (2) delivery in person; or (3) delivery by other means to a Student's University or permanent mailing address. The Student is responsible to have an updated preferred email account on file with the University, to check such email account regularly, and to provide a mailing address.

- *Report* means a narrative detailing an incident in which one or more Students may have violated the Student Rights & Responsibilities Community Standards.

- *Reporting Party* is any person who has filed a Report against a Student, either directly or through a University Official, such as a Campus Safety officer or a Resident Assistant.

- *Resident* means a Student who has executed a housing contract and is authorized to live in University owned or operated housing.

- *Respondent* means any Student who is alleged to have violated one or more of the Student Rights & Responsibilities Community Standards.

- *Restorative Justice* is an alternative framework for case resolution that includes an alternative dispute resolution option.

- *Staff Member* is a who is an employee of the University who is not a Faculty Member.

- *Student(s)* means, for the purpose of this Honor Code, any persons registered for or auditing classes at the University; admitted to or enrolled in any University program; or on University Premises for any purpose related to the same regardless if the class, program, or other education activity is credit earning or part of a degree or non-degree program. For the purpose of this Honor Code, a person is also considered a Student if they have completed the immediately preceding term and are enrolled for a subsequent term or program; if they are representing the University between terms or programs; or, if they have been previously enrolled, but are on a leave of absence or otherwise have a continuing relationship with the University.

- *Student Accountability Board (SAB)* refers to one type of Case Resolution Body that is used when one or more of the following factors exists in a case: an active Complainant is participating; there is highly disputed information between parties, and/or the Outcome is potentially Suspension or Expulsion.

- *Student Rights & Responsibilities Administrators* are administrators and staff authorized to implement the SRR process and may include the professional and graduate staff within Student Rights & Responsibilities and Housing & Residential Education (HRE).

- *Student Organization* is defined as any group that has been recognized by the University as a student organization or has applied for such recognition and/or is acting as a student organization without formal University Recognition (as defined in the Office of Student Engagement Handbook). This includes, but is not limited to, athletic teams, fraternities and sororities, Registered Student Organizations, departmental student groups, and unchartered provisional chapters/interest groups.

- *Support Person* refers to an individual chosen by a Respondent or Complainant to be present during the Student Rights & Responsibilities Process and for whom the Student has completed a FERPA form. A Support Person can be any individual who is not an Involved Party, Witness in the Case, or a member of the Case Resolution Body. A Support Person must follow the limitations on their role and other requirements set forth in the Honor Code and SRR procedures.

- *University* means the University of Denver.

- *University Community* includes all Students, University Officials, and other individuals involved in the normal operations of the University.

- *University Events* include any activity involving Students or University Officials and held on University Premises. Activities involving Students or University Officials not held on University Premises are also considered University Events when such activities are connected with or sponsored by a University department, Student Organization, or through any Learning Environment.

- *University Official* includes any person employed by or under contract with the University performing academic, administrative, or professional duties. When this document refers to any University Official by title, such reference includes their designee.

- *University Policies* refers to any rule, regulation, community standard, or process as it relates to the expectations and functions of the institution. When used in this document, University Policies includes, but is not limited to, the Student Rights & Responsibilities Community Standards.

- *University Premises* include all land, buildings, facilities, or other property in the possession of or owned, used, operated, or controlled by the University, including adjacent streets and sidewalks.

- *Vice Chancellor for Student Affairs* is the administrator with oversight of the Division of Student Affairs & Inclusive Excellence. The Vice Chancellor for Student Affairs can appoint a designee to act on their behalf in times as needed, such as in an instance of an absence or a potential conflict of interest.

- *Weapons* refer to objects designed or used to inflict injury or damage and include, but are not limited to, knives with a blade over three inches (excluding kitchen knives possessed, properly stored, and used for their intended purpose in University owned or operated housing), guns, pellet guns, paint guns, Tasers, bows and arrows, machetes, ninja stars, nun chucks, explosive or incendiary devices, and swords.

- *Witness* refers to an individual who sees an event or has first-hand knowledge of information relevant to the incident being addressed and is not an Involved Party in the incident(s).

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